

## DEPARTMENT OF HEALTH PROFESSIONS - DIRECTIVES

**DIRECTIVE NO.:** 3.1

**EFFECTIVE:** 2-28-02

**SUPERSEDES:** 8-14-96

**APPROVAL:** /s/ Robert A. Nebiker

### 3.1 Orders

**Purpose:** To ensure the appropriate execution of Board action.

**Policy:** To ensure board orders with respect to disciplinary actions are sufficiently detailed and that orders are properly executed by the Department once they are issued.

- Procedure:**
1. Prior to any member of the staff of the Department providing the presiding officer, or other person designated by a board, with a document that will become a disciplinary order imposing a finding subsequent to notice of a hearing or procedure of the board in which a respondent has been found in violation of a statute or regulation upon that person's signature, such document must first be submitted to the *Director of Administrative Proceedings*. No such document shall be provided by any member of the Department staff to the presiding officer or other authorized person for signature prior to approval of the document by the Director of Administrative Proceedings or a person designated by the Director of Administrative Proceedings.
  2. Upon entry of every order having become final which results in a reprimand, fine, probation, suspension or revocation or may be characterized as disciplinary or adverse action, or makes a finding of a violation or dismisses an allegation of misconduct a copy of that order shall be distributed by the Board Executive Director as follows:
    - (1) The Director
    - (2) The Deputy Director for Enforcement Division
    - (3) Any other person or entity requesting notification if not listed to receive notification consistent with 3(2) below.
    - (4) The Finance Director if the order creates a debt or financial obligation due to the Commonwealth
    - (5) A copy to the person filing the original complaint, if any.

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3. Upon receipt of any order consistent with procedures outlined in (2) above, the following action shall be taken by the Director of Enforcement:
  - (1) Provide a copy to the responsible investigator;
  - (2) Provide copies of the order to individuals and organizations requesting to be routinely notified of orders including other state agencies that enroll, employ or grant privileges to licensees;
  - (3) Report to the National Practitioner Data Bank as may be necessary; and
  - (4) If appropriate, begin to monitor and report on compliance with terms and conditions set forth in the order,
  - (5) Check the appropriate update of records on automated systems.

The Finance Director shall initiate action to provide for timely collection of funds due the Commonwealth.